

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

ARNOLD C HARMS, JR; aka ARNOLD	§	
HARMS,	§	
	§	
Petitioner,	§	
VS.	§	CIVIL ACTION NO. C-06-00440
	§	
NATHANIEL QUARTERMAN,	§	
	§	
Respondent.	§	

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION  
TO GRANT RESPONDENT'S MOTION FOR SUMMARY JUDGMENT**

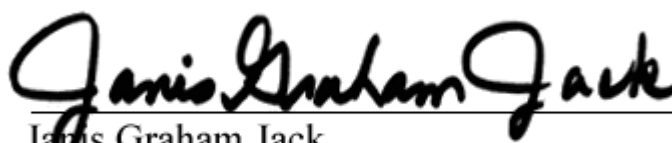
On April 10, 2007, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that respondent's motion for summary judgment (D.E. 16) be granted, that petitioner's request for an evidentiary hearing (D.E. 31, at 4) be denied, and that petitioner's petition for writ of habeas corpus be dismissed with prejudice. The Memorandum and Recommendation further recommended that the petitioner be denied a certificate of appealability. On April 25, 2007, petitioner filed Objections to the Magistrate's Recommendations.

Having reviewed the findings of fact and conclusions of law therein, as well as the pleadings on file and petitioner's objections, and having made a *de novo* disposition of those portions of the Magistrate Judge's recommended disposition to which objections were raised, *see Koetting v. Thompson* , 995 F.2d 37 (5th Cir. 1993), 28 U.S.C. § 636(b)(1)(C); Fed.R.Civ.P.72(b), the Court hereby adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, it is ORDERED that respondent's motion for summary judgment (D.E. 16) is granted, that petitioner's request for an evidentiary hearing (D.E. 31, at 4) is denied, and that petitioner's petition for writ of habeas corpus is dismissed with prejudice. Certificate of appealability is denied.

The clerk shall enter this order and provide a copy to all parties.

SIGNED this 30th day of April, 2007.

  
Jarvis Graham Jack  
United States District Judge